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E.O. 12958: DECL: 09/14/2016

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SUBJECT: ARREST ORDERED FOR NUMBER 3 POLICE OFFICER

Classified By: AMBASSADOR JANET A. SANDERSON, REASONS 1.4(B) AND (D).

**¶11. (U)** Judge Napela Saintil on September 12 issued a bench warrant for Michael Lucius, the third highest ranking official in the Haitian police (HNP) who serves as the director of the criminal investigation unit (DCPJ). The warrant stems from charges of "complicity in kidnapping" that Saintil brought against Lucius in April. Lucius refused to appear in court to answer those charges on two previous occasions, once claiming that former interim Prime Minister Latortue had sent him on official business to the Dominican Republic on the date of the scheduled hearing. Lucius immediately filed an appeal against the warrant on jurisdictional grounds and took to the airwaves to denounce judge Saintil as corrupt. Chief prosecutor Claudy Gassant, responsible for executing the warrant, interviewed Lucius in his office on September 13, in the presence of HNP chief Mario Andresol. Gassant announced he would await the decision of the appeals court to act on the warrant, but warned Lucius that his public statements and his previous failures to appear broached contempt of court.

**¶13. (C)** Comment. In the final weeks of the interim government before President Preval's inauguration in May, Lucius had publicly denounced several judges, including Saintil, accusing them of corruption in releasing criminals arrested by the HNP. Saintil filed charges against Lucius shortly thereafter, and most observers and many media commentators judged that the charges were baseless and that Saintil had acted in retaliation. Informed legal observers also agree with Lucius' assessment that corruption in the judiciary is widespread, and many applauded his public stance. With Lucius enjoying the support of Andresol, and the lame duck IGOH occupied with elections, Lucius faced down Saintil with relative ease in their first confrontation.

**¶14. (C)** Comment continued. Lucius is a controversial figure. He earned a reputation as a staunch Lavalasian during the first Preval and second Aristide administrations, but in late 2003 he concluded an investigation of a high-profile kidnapping in which he implicated close associates of Aristide, thus incurring Aristide's wrath. At that point, according to widely circulated rumor, Lucius allied himself with Aristide opponents in unofficially identifying gang leaders and thugs ("chimeres") that Aristide had enlisted to suppress the opposition. Lavalas militants in Haiti hold Lucius in particular contempt. More recently, MINUSTAH

police officials have developed a strong dislike for Lucius because they believe he has obstructed collaboration between UNPol and the HNP. Post's police advisors also cite instances where Lucius has impeded cooperation. Lucius has earned Andresol's respect and apparently made himself indispensable through his effectiveness and hard work. With Andresol's backing, we judge that Lucius is secure in his position for the moment.

SANDERSON